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For Immediate Release

FCC CHAIRWOMAN PROPOSES NEW RULEMAKING ON RATES AND CHARGES FOR INCARCERATED PEOPLE'S COMMUNICATIONS SERVICES

Would Implement Martha Wright-Reed Just and Reasonable Communications Act

WASHINGTON, February 22, 2023—FCC Chairwoman Jessica Rosenworcel today shared with her colleagues a proposal to begin a rulemaking to implement the Commission's expanded authority over rates charged for incarcerated people's audio and video communications services. The recently adopted Martha Wright-Reed Just and Reasonable Communications Act of 2022 directs the Commission to adopt just and reasonable rates no later than 24 months after enactment. Today's proposal includes a Notice of Proposed Rulemaking and Order that, if adopted by a vote of the Commission at its March Open Meeting, would begin the process of implementing the law.

"For too many years, families and friends of incarcerated people have struggled with the outrageous costs charged for communicating with their loved ones," said Chairwoman Rosenworcel. "The FCC has long fought this problem using our existing rules, but they limited us to regulating interstate rates. Thanks to Congress and the President, this new law gives the FCC new authority to oversee state rates. I hope my colleagues will support me in taking the next steps to lowering the cost of prison phone bills so that incarcerated people can affordably stay connected with families and loved ones."

The fight for lower prison phone rates dates back nearly twenty years, when Martha Wright-Reed and her fellow petitioners first sought relief from the exorbitant telephone rates they had to pay to talk to their incarcerated loved ones. On January 5, 2023, President Biden signed the law named after Martha Wright-Reed, which expands the Commission's authority and directs it to adopt just and reasonable rates and charges for incarcerated people's audio and video communications services.

The Notice of Proposed Rulemaking circulated today, if adopted, would invite comment on how the Commission should interpret and implement the Martha Wright-Reed Act, including seeking comment on:

- The expansion of the Commission's authority over incarcerated people's communications services to include advanced communications services (including audio and video services) and intrastate services;
- The meaning of "just and reasonable" in the context of the Martha Wright-Reed Act's other provisions;
- The appropriate rate-making approach given the Commission's authority to compute just and reasonable rates;

- The safety and security costs necessary for incarcerated people's communications services; and
- The Commission's ability to ensure that incarcerated people's communications services are accessible to and usable by people with communication disabilities.

Rosenworcel also circulated an Order that, if adopted, would reaffirm the Commission's prior delegation of data collection authority to the Wireline Competition Bureau and the Office of Economics and Analytics, and direct staff to initiate a collection of provider data to inform the Commission's responsibilities to implement the requirements of the Martha Wright-Reed Act.

The text of the proposal will be available with the tentative agenda notice released tomorrow and available on the meeting's webpage: <https://www.fcc.gov/march-2023-open-commission-meeting>.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).